

## **REMARKS**

Claims 1–10 and 12 are pending in the application. In the Office action dated August 18, 2009, claims 5–10 were rejected. Responsive to the Office action, Applicant has canceled claims 5–10. In view of the amendments above, and the remarks below, Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

### ***Rejections under 35 USC § 102***

Claims 5–8, and 10 are rejected under 35 USC § 102(b) as being anticipated by Crout et al. (U.S. Patent no. 3,823,564).

The Examiner asserts that the Crout et al. reference discloses each and every element of the rejected claims. Applicant respectfully disagrees. However, in the interest of facilitating the prosecution of the application, Applicant has canceled claims 5–10. In view of the amendment, Applicant respectfully suggests that the rejection of claims 5–8 and 10 is rendered moot.

### ***Allowable Subject Matter***

The Examiner indicates that claims 1–4 and 12 are in condition for allowance. As all non-allowed claims have been canceled, Applicant respectfully suggests that all formal requirements have been complied with, and requests that a notice of allowance be issued for claims 1–4 and 12. If the Examiner has any questions regarding this paper or the application as a whole, please contact the undersigned agent of record.

#### **CERTIFICATE OF E-FILING**

I hereby certify that this correspondence is being transmitted electronically via the U.S. Patent and Trademark Office EFS-Web System on January 19, 2010.

/ Stephen R. Pendleton /

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Respectfully submitted,

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